

REMARKS

By the present amendment, claims 1 and 3 have been amended to clarify the crushing and shearing actions, the dependencies of claims 4, 8, 11-13 and 15 have been modified, and claims 9-10 have been amended to provide antecedent bases, and the expression introduced by "for example" has been deleted in claims 7 and 17-18 while new dependent claims 19-21 have been added for a corresponding recitation. Further, claims 22-23 corresponding to claims 14-15 but dependent on claim 3, and new claim 24 dependent on claim 3 and reciting sliding tooth faces have been added. Support for new claim 24 is found in the original application, in particular on page 7, lines 26-28 and page 10, lines 30-31.

Claims 1-24 are pending in the present application. Independent claim 1, and claim 2 dependent thereon, as well as independent claim 3, and claims 4-13, 16-21 and 24 dependent directly on indirectly on claim 1, are directed to a crusher. Claims 14 and 22 are directed to a multi-stage crushing assembly and claims 15 and 23 are directed to a medical waste-sterilizing installation, and they are dependent on claims 1 and 3, respectively.

As a preliminary, Applicants and Applicants' representative thank the Examiner for the personal interview which was held on November 17, 2003.

In the Office Action, claims 1-18 were rejected under 35 U.S.C. 112, second paragraph, as indefinite. It was alleged in the Office Action that the structure which is positively claimed in claims 1, 14 and 15 is unclear, the expression "for example" in claims 17-18 was objected to, antecedent basis problems were pointed out in claims 4-7, and the dependency of claim 4 was also objected to.

Reconsideration and withdrawal of the rejection is respectfully requested. As discussed

during the personal interview, claims 1 and 3 have been rearranged to present more clearly and correspondingly the crushing and shearing actions in each of these claims. Further, the dependencies of the claims have been modified to provide appropriate antecedent basis, claim 15 as well as new claim 23 depend on only one claim (claim 1 or 3, respectively), and the expression introduced by “for example” has been deleted in claims 7 and 17-18 while dependent claims 19-21 have been added for the recitation of an “S-shape.” Accordingly, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 1-8, and 11-12 are rejected under 35 U.S.C. 102(b) as anticipated by DE 2420913 (DE’913), and claims 9-10 and 13-18 are rejected under 35 U.S.C. 103(a) as obvious over DE’913. DE’913 was cited in the international search report. The Examiner alleges that Fig. 11 “shows reciprocating jaws with teeth,” and that the features of claims 9-10 and 13-18 would be obvious design choices.

The rejection is respectfully traversed. As discussed during the personal interview, DE’913 does not perform a shearing action in two orthogonal directions. Specifically, the blades in Fig. 2 of DE’913, even if they were fitted with teeth as in Fig. 11 of DE’913, do not perform horizontal shearing. In particular, DE’913 does not have opposing blades, in contrast to the crusher of the present claims, which performs horizontal shearing, for example by using opposing blades equipped with teeth sliding against one another other. Therefore, the present claims are not obvious over DE’913.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

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In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Applicants
Reg. No. 44,373

Atty. Docket No.: 010679
1250 Connecticut Avenue NW Suite 700
Washington, D.C. 20036
Tel: (202) 822-1100
Fax: (202) 822-1111
Customer No.: 38834
NES:rep